

No.
*The Obligation of the OATHS to the
GOVERNMENT; and the Pretences
for breaking them Consider'd.*

A
SERMON

Preach'd at the
ASSIZES at *Kingston* in *Surrey*,
On *Tuesday*, *July* the 31st, 1716.

BEFORE

The RIGHT HONOURABLE
The Lord Chief Justice *PARKER*,
AND
Mr. Justice *POWIS*.

By *HUGH BOULTER*, D. D.
Rector of *St. Olave's Southwark*, Arch-
Deacon of *Surrey*, and Chaplain in Ordinary
to His MAJESTY.

*Publiſh'd at the Request of the HIGH SHERIFF
and the Gentlemen of the GRAND JURY.*

LONDON, Printed by *H. Clark*, for *TIMO-
THY CHILDE*, at the *White Hart* in *St. Paul's
Church-yard*, 1716.

The Obligation of the OATHS to the
GOVERNMENT; and the Principles
for breaking them Considered.

SERMON

DELIVERED AT KINGS-CHURCH IN LONDON
ON TUESDAY, JANUARY 21ST 1716.
BY

The Right Honourable
The Lord Chief Justice T. R. WILKES

AND
MR. JUSTICE POWELL

BY HUGH
Rector of
Dean of
to His Majesty



Printed at the Request of the Hon. Sir
and the Gentlemen of the said Church

LONDON, Printed by H. K. at the
the Church, at the House of the
Church-yard, 1716.



TO
Joseph Bagnal, Esquire,
HIGH SHERIFF
OF THE
County of *SURREY*;
And to the
Gentlemen of the GRAND JURY.

The Hon. Thomas Onslow, *Esq.*

<i>Sir</i> Theod. Jansen, <i>Kt.</i>	John Burchett,	
William Clayton,	Richard Lewin,	
Thomas Broderick,	Sam. Wincopp,	} <i>Esq.</i>
John Lade,	Rob. Douglass,	
Henry Temple,	Murthw. Ivet,	
William Draper,	Henry Clift.	} <i>Gen.</i>
Peter Hussey,	Roger Peck,	
William Genew,	Rob. Heathfield,	
George Ballard,	James Shrubbs,	

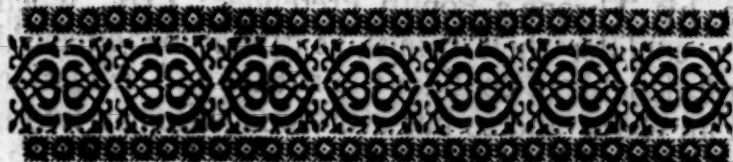
THIS SERMON, Published at their Request,
is most humbly Dedicated.



TO
 JOSEPH BAGWELL, Esq.
 HIGH SHERIFF
 OF THE
 County of SURRY;
 And to the
 Gentlemen of the Grand Jury.
 The Hon. Thomas Galloway, Esq.

- | | |
|----------------|------------------|
| John Ladd | John Broderick |
| Henry Temple | Richard Lewin |
| William Draper | Sam. Winthrop |
| Peter Hulse | Robt. Douglas |
| William Gentry | Murphy Lee |
| George Ballard | Henry Clift |
| | Roger Beck |
| | Robt. Heathfield |
| | James Shrobb |

This Sermon, Published at their Request,
 is most humbly Dedicated.



ECCLES. VIII. 2.

I Counsel thee to keep the King's Commandment, and that in regard of the Oath of God.



WHEN we look back on the unnatural Rebellion we saw set on foot the last Year, and reflect that many were actually engaged in it that had sworn to the Government, whilst greater Numbers under the same Obligations countenanc'd and abetted it, and shew'd a disposition to joyn in it as soon as opportunity shou'd offer; when we find Men encouraged by disaffected Persons to take the Oaths only that they may be the better able to betray the Government they have sworn to, and Distinctions propagated amongst them to lessen their Aw of those most Sacred Obligations; and whilst we may still observe the same restless and rebellious Spirit at work to alienate the Affections of the People from his most Sacred Majesty King *GEORGE*, and to dispose them in defiance of their most solemn Engagements by Oath to him, to attempt on the first

occasion to overthrow his Government, and place on his Throne a Popish Pretender; I say, when we consider these things, it cannot be esteem'd unseasonable to consider the nature and obligation of an Oath, and to put every one who has sworn to his Majesty in mind, with what a firm and lasting band they have bound themselves to live in Subjection and Obedience to his Majesty, and to maintain and support his Authority over these Nations. And this I shall do from the advice of the wise Man here in the Text. *I counsel thee to keep the Kings Commandment, and that in regard of the Oath of God.*

By keeping the King's Commandment here is meant, living in obedience to his Laws, and Government. The Kings of Israel were, as appears, by many Passages in the History of the Old Testament absolute Princes, and their single Authority gave the sanction of a Law to whatever they pleas'd to enjoyn: So that with them the King's Commandment was the same as the Laws of that Country. But as it can never be suppos'd the Intention of any Prince, whatever Oaths of Allegiance he exacts from his People, to bind them under the pain of Perjury to perform every the least tittle of the Laws by him publish'd, and as it sufficiently answers the Ends of Government, that Subjects in the main obey the Laws, and quietly submit to the Punishments enacted for the Transgressors of any of them, and assist the Government where there is occasion to punish contumacious Offenders, the whole of keeping the King's Commandment, as it is here press'd by the
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wise Man for fear of breaking the Oath of God, can amount to no more than being a quiet and loyal Subject, submitting to and supporting the Authority of the Prince over us, tho' not in every point of lesser consequence exactly complying with the Commands of our Superiors.

As the Oath of God, which Solomon puts them in mind of to shew them the necessity of being good Subjects, must have answer'd to what we call the Oath of Allegiance, and the other Oaths to the Government; we may observe, that how grievous soever an imposition some People may at present esteem all Oaths to the Government, yet the exacting such Oaths was a practise as antient as the days of King Solomon, which is near 3000 Years ago, and has been practis'd in all Governments of which we have any compleat Histories remaining, from the earliest Ages.

And possibly of the Oath of God here mention'd, considering the attempt Adonijah had made to have seiz'd on the Throne, and that after his Death Solomon had still several elder Brothers alive, one part might be what answers to our Abjuration Oath.

The wise Man in order to perswade Men to obedience to their Governours, might have observ'd the necessity and advantages of Government in general, the happiness every private Person receives from quiet and settled Times; the Calamities attending all violent alterations of Government, the returns of Gratitude owing for the Protection we enjoy under our Governours, and variety of other Arguments to dispose Men to a peace.

peaceable Submission to those whom God has set over them; but he contents himself to admonish them that they had sworn to be obedient to them, and had thereby laid on themselves the greatest and most binding Obligation that was known amongst Men: And if in the Verses after the Text he puts them in mind of the Power with which Princes are vested, and the *evil Things* or Punishments they might feel for their disobedience, it is no doubt on account of those Men of no Conscience, whom the Fear of God wou'd not influence, and whom he wou'd therefore move by the dread of what they might suffer from Men for their rebellious Practises.

To this latter sort of Persons I shall not at present address my self; but only to such who profess the beleif of a God and a Providence, and who wou'd be thought to have some regard to the dictates of their Conscience in what they do, and shall endeavour to satisfy as many of them as have already taken, or shall hereafter take the Oaths to the Government; of the necessity they have laid on themselves to behave themselves quietly and peaceably under the present Establishment; and because evil meaning Persons have been very industrious in spreading such Notions as may puzzle weak and unsettled Minds about the validity and obligation of those Oaths they have taken; I shall consider those Pretences by some advanc'd to release Men from their Oaths, and shew the weakness of them.

And to this end I shall in the following discourse observe this Method.

I. I shall

I. I shall consider the Sacred Obligation of an Oath in general, and of the Oaths to the Government in particular.

II. I shall consider the Pretences advanc'd by some for breaking the Oaths they have taken to the Government. And

III. I shall consider the Scandal and ill Consequences of such a Practise as breaking the Oaths to the Government.

And 1. I shall consider the Sacred Obligation of an Oath in general, and of the Oaths to the Government in particular.

And here it may not be amiss to explain the nature and design of an Oath, that we may the better be convinc'd of the sacredness of the Obligation it lays on us.

An Oath is a religious Act in which we call on God to be a Witness and Observer of what we are saying, and an Avenger on us if we fail of Truth and Faithfulness.

An Oath is either Assertory, in which we declare something to the best of our Knowledge to be true, or Promissory, in which we engage to perform something or abstain from something to the best of our Power.

And every Oath is design'd as a security to the Person on whose account we swear, that

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we speak Truth in what we say, and will faithfully perform what we promise.

Now the Scripture represents swearing as binding a Bond upon the Soul, which obliges us to performance, *Numbers xxx. 2. If a Man vow a Vow unto the Lord, or swear an Oath to bind his Soul with a Bond, he shall not break his Word, he shall do according to all that proceedeth out of his Mouth.* Thus our Saviour gives an account of the Law of God relating to Oaths. *Matt. v. 33. Thou shalt not forswear thy self, but shalt perform unto the Lord thy Oaths.* And the Judgment of God upon perjur'd Persons is describ'd, *Zech. v. 4. By the Curse of God as a flying Roll entering into the house of him that sweareth falsely by his Name, and remaining in the midst of his house, and consuming it with the Timber thereof and the Stones thereof.*

Thus we see from the Scripture the Obligation God has laid on us to perform our Oaths, and the exterminating Judgment with which he threatens those who break them. But before I quit this head, I shall observe the great Obligation of an Oath, in these several Views; as it is a most Solemn religious Act; as it is the highest Tye of Honour, and as it is the firmest Bond of publick Society.

And 1. We shall consider the Obligation of an Oath, as it is a most Solemn religious Act.

It is on this account that embracing the true Religion is represented in the Prophets by swear-
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ing to the Lord, Isa. xix. 18. In that day shall five Cities in the Land of Egypt speak the language of Canaan, and swear to the Lord of Hosts. And the Prophet *Zephaniah* expresses the joyning the worship of Idols with the worship of the true God, *chap. i. 5. By swearing by the Lord, and swearing by Malcham.* And indeed every Oath implies our belief of a God, and that he knows what we are doing, and is able and dispos'd to punish us if we falsify, and is a Solemn invocation of him to exert these his Perfections to our great hurt or ruine, if we any ways deceive in our Oath. But now a Man who hath these Opinions of the Deity, and thus calls for the divine Vengeance to light on his head if he deal any ways untruly with the Person he swears to, lays on himself the highest Obligations to Truth and Sincerity, that 'tis possible for humane Nature to invent. And he that cannot be bound fast by the dread of an all-knowing, all-powerful and just God, is incapable of giving any farther religious Security on which he may be trusted.

2. Let us consider the Obligation of an Oath, as it is the highest Tye of Honour.

And I the rather mention this, because it is to be fear'd there are too many who sit so loose to Religion, as not to be much influenc'd by the fear of God, who wou'd however set up for Men of nice Honour. Now even here an Oath is the greatest Tye any Man can lay on

himself in point of Honour. There is no doubt, every Assertion of ours shou'd be made in Truth, and every Promise by which we pass any right to another shou'd be faithfully performed, whether they are confirm'd with an Oath or no: And a Man of true Honour will be true to his Word, tho' he has not sworn to it. But still in all Transactions with Men, the greater seriousness we put on in what we are doing, and the more desirous we express our selves to be rely'd on by them, the greater Obligation are we understood to lay on our selves, and the more is our Honour engaged not to deceive those with whom we are concern'd. But now there is nothing in our intercourse with one another that requires more seriousness, nothing by which we are more likely to prevail with others to depend on us than an Oath, and therefore nothing can tie us more in point of Honour: Since the Obligation in point of Honour does not depend upon what Opinion we have of the Security we have given another, but in the Confidence we have industriously rais'd in others, that they may depend on our Veracity and Justice.

And it is under this View of the highest Tye of Honour a Man can bind himself with, and the just Reproach attending the Breach of it from his own Mind as well as others, that several Heathens speak with the greatest severity of the Obligation of an Oath, who by their Writings seem to have had no great Notions

tions of God's punishing Offenders either in this or another Life.

3. Let us consider the Obligation of an Oath, as it is the firmest Bond of Publick Society. And as such it has been esteem'd and us'd by Mankind from the most early Ages, in Virtue of its being the highest Obligation in Conscience and Honour that any one cou'd lay on himself.

Under this Head, I shall not go about to reckon up the great Blessings Mankind enjoy from Publick Societies or Governments being establish'd amongst them; but I shall only just observe that the Strength of such Societies consists in the concurring Assistance every Member gives to the Publick, and that no such Assistance can be expected, where there is not a mutual Confidence both between the Members themselves, and between them and their Head. Particular Members will be more backward to assist their Governours, where they fear the rest are withdrawing their Assistance from them, which may end in their ruine that try to support them. Nor will they be forward to strengthen the Hands of a Prince, from whom they may fear that he may imploy that Strength they give him to their damage. And again, it is natural for Governours to look out for other Ways of keeping under or defending their People, where they are jealous that they are dispos'd to

to withdraw their Obedience, or more ready to joyn with the Enemy than to defend themselves against them. But now, wherever there are any such Jealousies in a Society, there it's Strength for want of Union is but small, and with the increase of such Misunderstandings, the Ruine of the whole is endangered. To prevent this, and to give a Compact Strength and Firmness to Governments, it has been the Prudence of well constituted Estates, that the Prince shou'd by Oath bind himself to Defend, and with Justice Govern his People; and the People by Oath bind themselves to Obey and Support the Prince: And as an Oath is the highest Security that can be given amongst Men, by these means a mutual Confidence and Trust has been endeavoured to be settled in Governments, so that the Prince may depend on the Subjection of the People, and the People on Protection and Justice from the Prince, and that their Fellow-Subjects will as readily concur to support his Authority as themselves.

Where this happy Confidence is rais'd between a Prince and his People, there Peace and Quiet flourish within, and such a Nation has an inward Strength not to be despised Abroad. But now we have seen that it is by Prince and People keeping their respective Oaths, and being persuaded of their mutual Faith that such an Happiness can be procur'd. And which ever Side first breaks their Oaths,
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sets a bad Example, which may be too soon follow'd by the other, to the weakening, if not ruining of them both. And the most likely Method to have all keep their respective Oaths, is to be fully satisfy'd of the great Obligation every one lies under to keep what he has sworn, not only out of his Duty to God, and Point of Honour, but out of Love to the Society he belongs to. And every Man who endeavours to loosen the Obligation of Oaths in general, is at the same time an Enemy to his Countrey, and promotes its Ruine: by undermining that mutual Trust and Confidence, which is the great Cement of Government, the Srength of both Prince and People.

But now of all Oaths usually taken by Men, those relating to the Government are the most solemnly Administred, are the most important Affair our Honour is concern'd in, and are of that immediate Consequence to the Publick Society we belong to, that the advancing any Doctrines to encourage the Breach of them, is an endeavour to cancel the highest Obligations of Conscience and Honour, and must be more directly fatal to Society than the encouraging the Breach of any other Oaths whatsoever.

What I have said under this Head will sufficiently satisfy us of the great Obligations we lye under to keep the Oath of God we have taken to our King. But the Enemies of our Government have endeavour'd to find some Pretences that may elude the force of
those.

those Obligations we have laid our selves under by our Oaths, and 'tis the Business of my

IId. Head, To consider the Pretences advanc'd by some for breaking the Oaths they have taken to the Government.

They don't deny the great Obligations Men are laid under by having taken an Oath, but they try to advance such Pretences as may persuade weak People to look on themselves as at liberty from those Obligations.

Now the most material Pretense they advance, and which I shall therefore take Notice of in the first place, is that the Oaths to the Government are in themselves Unlawful, and therefore cannot bind the Conscience: Since no Man by taking an Oath can alter the nature of his Duty to God, so as to make that become lawful or necessary to him which was before forbidden by the Law of God, and therefore he that keeps such an Oath, sins doubly; first in taking such an Oath, and secondly in performing what was sinful, upon pretense of having sworn to do it.

Now the full and direct Answer to this, wou'd be to prove the Lawfulness of our present Establishment, but as this wou'd engage me in a greater length of Discourse than the present Occasion will permit, and as this has been done to the satisfaction of the Impartial, by

by much abler Hands, I shall refer you to their Labours to shew you how unreasonable this Plea is.

But besides, I shall not pass from this Head, without making some Observations that may be pertinent to our Purpose.

And 1. Where a Man has taken an Oath to do any thing, it is not any little scruple or uncertainty about its being Lawful that can authorize his breaking his Oath, but it concerns him to have a full Conviction upon a calm and unprejudiced Examination, that the Matter of the Oath is Unlawful: Otherwise, he wilfully runs the hazard of Perjury, which he cannot but own he is guilty of, if after all his Doubts, the Matter of his Oath is in it self Lawful.

2. If submitting to the present Settlement be in it self Unlawful, it must either be, because our present Settlement is contrary to some express Law of God, or contrary to some such Humane Constitution, the breach of which cannot be comply'd with without Sin.

Now, I may defy any Man to assign any such Texts as have determined any thing about who have a Right to be our Governours, or settled any Method of Succession in the several Governments of the World. On the contrary, all those places, which are most
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urg'd by the Adversaries of our Establishment, press subjection to the Powers that be, and to those that are set over us, without directing us to enquire into the Title, by which they exercise Rule over us, or giving us any Standard to judge of that Title by, and consequently they as much enforce Obedience to the present Establishment, as they can have done to any Princes that were before on the Throne of these Kingdoms.

If then the Unlawfulness of our present Establishment is put upon its being contrary to the fixt and unalterable Constitution of our Countrey, it ought evidently to be made out, that there never have been any Alterations in our Succession of Kings as to the Proximity of Blood, or that when such have been made by the Estates of this Realm, they have been always esteem'd Illegal and Invalid: The contrary of both which we are assur'd is true from those best vers'd in the History and Laws of our Countrey. But if this were made out, it ought likewise to be fully proved, that the submitting to the Alteration of a Fundamental Part of any Constitution, owing its Original purely to Humane Authority, if our present Establishment could be shewn to be such an Alteration, is contrary to the Law of God, and thereby a Sin. For they are two very different Considerations, whether they who have made a Change at any time in any Government have done ill or well, or whether Submission to such
Change

Change when made be lawful; since it is only upon a Supposition that such Submission is forbidden by the Law of God, that the Oaths to the Government can in themselves be unlawful.

3. Some may put the unlawfulness of the present Oaths not upon their being in themselves unlawful, but upon their being inconsistent with the Oaths formerly taken to King *James II.* and his Heirs.

On which I wou'd observe; That this to the greater part of the Nation can be of no Validity, because the greater part now living never took any Oaths to King *James*. Again, whatever could be supposed personally binding to him in those Oaths, is long since extinct by his Death. And as to his Heirs, they are every ones Heirs, whether Prince or Subject, whom the Laws appoint to be such; and consequently the House of *Hanover* having been call'd to the Succession of this Crown by the Laws, are become his Legal Heirs, and therefore Submission to them is due in Virtue of those very Oaths objected against them. Again, all Government Oaths being design'd for the Peace and Welfare of the Community, can never oblige any one to pursue its Disturbance and Ruine, and can bind no longer than the Legislature continue their Obligation; and whenever the Legislature, for the Security of the whole, think fit to abrogate those Oaths and appoint new ones in their place, the former lose their whole Obligation,

ligation, and the latter become obligatory in their stead: Their Power to release Subjects from their former Oaths, being the same as any private Person has to release another from any Promise or Oath made to him for his Advantage, which as Affairs have afterwards took a turn, wou'd, if performed, turn to his Detriment or Ruine. And a Man may with the same Reason and Justice insist upon performing his Engagement to his Friend, tho' he intreat him to forbear it, as resolve to stand by those publick Oaths which have been repealed by the Legislature.

But before I quit this Pretense of the unlawfulness of the Oaths to the Government, I shall beg leave to consider the different Cases of Persons who think thus of the Government Oaths; Now either they are fully persuaded that the Oaths to the Government are unlawful, or they only entertain some Doubts or Scruples about them. Again, of the former, some were thus fully persuaded before they took the Oaths, whilst others have been brought to believe them unlawful, who when they took them had no doubt of their lawfulness.

And 1. I shall consider the case of those who believed the Oaths unlawful at the very time when they took them.

The Case of these Men is deplorable, as having been guilty of a wilful deliberate Perjury at the very instant of their taking the Oaths:

And

And did Men retain any serious Belief of a God and a Judgment to come, it must be very shocking to them solemnly to call on God as an Avenger on their Souls if they fail in what at the same time they esteem unlawful, and therefore purpose never to perform.

And if any such have been drawn into so black a Sin, by any pretended Directors of their Consciences encouraging them to Swear, because the Oath cou'd not bind, as being in it self unlawful; I wish they wou'd reflect on the Snare thus laid for their Souls, and have a care for the future how they suffer themselves to be any longer led by such blind Guides, who if they go on in such Wicked Practices, must together with such blind Followers, fall into the Pit of Destruction.

2. Let us consider the Case of those who have been brought to believe that the Government Oaths are unlawful since their taking them.

The Case of these Men is much better than of those before, because these took the Oaths with a Conscience perswaded of the lawfulness of what they were then doing, whilst the others were at that time perjur'd. But as they are since likewise fully perswaded of their unlawfulness, they as well as the former shou'd repent of the Evil they have done in respect of the present Dictates of their Conscience.

But I have somewhat to offer to both these:
And 1. As the Oaths are design'd as a Security
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to the Government, that they may depend on the Loyalty of those who take them; when Men come to be persuaded, those Oaths on account of their unlawfulness no longer bind them, they ought in Conscience and Honour, at least to sling up those Places they possess in Virtue of having taken the Oaths. In transactions betwixt private Persons, we should judge him to act basely by a third Person, who after having engaged himself to him, and being depended on by him, shou'd design to perform nothing of what he had undertook without giving the other notice beforehand, that he might lay out other Measures according to the nature of the Affair.

2. Both these shou'd remember that their Oaths oblige them to perform as much as they believe to be lawful of what they have sworn. And I mention this because we shou'd be a much more quiet and easy Nation, if every one would go as far in submitting to the Government as they think in Conscience they may.

There are some who have no scruple about the Promissory part of the Oath relating to the Allegiance to be paid King *GEORGE*, but think they have done ill in the Abjuring part relating to the Pretenders having no Right to these Realms. Whilst they think so, they have indeed done ill in taking the Abjuration Oath, but the Oath of Allegiance is never the less binding to them, because they took at the same time another Oath which they esteem unlawful;

ful ; and therefore such shou'd remember that they are obliged by what they themselves count a lawful Oath to be true and good Subjects to his present Majesty.

Again, there are some who think they may not directly assist against the Pretender by bearing Arms against him, &c. but are fully persuaded they may with a safe Conscience live quietly and inoffensively under their present Governours, without endeavouring to disturb or depose them; let such remember that the Oaths they have taken to the Government oblige them at least so far, as to pay so much Allegiance as consists in living peaceably under the present Establishment. And if the greatest part of the Nation wou'd but go thus far, it would pretty well answer the Ends of preserving the Publick Peace.

3. Both these that are fully persuaded of the unlawfulness of the Government Oaths, and those who have scruples in that Affair, shou'd remember that the obeying our lawful Governours is so necessary a Duty, and the presumptions in favour of those who are in actual Possession of the Authority over us, are so strong, both by the Laws of God and Man, that the proofs against the Governours in Possession ought to be clear and cogent; and that where Men have farther laid on themselves the Obligation of an Oath, it is not a little evasion, or surmise, or probability, that can cancel so Sacred a Band, but it ought to be a full and convincing

vincing Demonstration that the matter of such Oath is in it self unlawful, that shou'd give a Man the boldness to Act in contempt of it. Since our Opinions or Mistakes where they fall short of invincible Error make no alteration in our Duty, so as to make that no Sin which wou'd otherwise be so.

Before then they can sit down with any just quiet of Mind in their disloyalty to the present Government, they ought to be able to reflect that they have endeavour'd to gain the best light they cou'd in so weighty an Affair, that they have us'd the best reason God has given them, and have done the utmost to lay aside all Prejudice, Party, and Affection, in the Judgment they have made. For till they have done so, whatever they may think about the unlawfulness of the Oaths to the Government, they are going on in a course of Sin.

But where Men have had no scruples in a former Reign about those Oaths which could not be lawful, if the Oaths to the present Government are unlawful; and where their scruples begun as they lost Preferment or the hopes of it, and increas'd as a blind Zeal for their own Party, and a furious Envy and Malice against the opposite Side visibly increas'd in them; they may without much trouble be satisfy'd that their Opinions about the unlawfulness of the Oaths they have taken, are not owing to any such Principle as will ever justify their breach of them in the sight of God.

After

After what I have now said, and what was said in the beginning of this Head, there will be no occasion for saying any thing more to those who are got no farther than to doubt about the lawfulness of the Oaths.

The Second Pretence advanc'd for Men's breaking thro' the Oaths they have taken to the Government is, that they are forc'd Oaths, and consequently of no Obligation.

Now the force us'd on this occasion is, as they say, that if they refuse the Oaths, they shall lose their Places, or fall under such Incapacities or Penalties of the Law, or at least be mark'd out from their Neighbours.

But 1. Suppose by refusing the Oaths they incur some great inconvenience, this is no other than what Men very often suffer in the course of humane Affairs by acting with a steady honesty, and performing their Duty where the Government is no ways concern'd, and yet it never was pretended by any reasonable Man, that to avoid such damage Men might swerve from their Duty. And indeed the Praise as well as Difficulty of Virtue consists in the foregoing some present Pleasure or Advantage rather than transgress the Law of God.

2. If the preventing such damages can cancel the Obligations of an Oath, it must do the same in Private Matters as well as Publick; and on this Principle a Man may without Sin swear falsely in a Court of Equity, where his answering the Truth upon Oath may very much

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lessen his Substance, or possibly quite ruine his Estate.

3. It is very strange that the Government by adding a Penalty as a sanction to any Law it makes, shou'd thereby give a right to the Subject to use the most wicked Means to elude that Law; that the requiring a Man to swear under such a Forfeiture shou'd directly authorize Perjury. At this way of Proceeding it must be equally lawful to suborn Witnesses to clear a Man from any Crime of which if he is convicted the Law has appointed some severe Punishment to be suffer'd. Whereas indeed the very essence of Government consists in a power of directing the Governed what to do, and of threatening and inflicting such Punishment, where those Directions are not comply'd with, as they shall judge proper. And the question here is not what Damage may be suffer'd by not swearing, but whether those who require such Oaths have any Power to do it.

But 4. As these People wou'd have the submitting to the present Government to be just like submitting to a party of Robbers in a place where no Assistance cou'd be had against them, I must observe that the case of any Government is so much the contrary to this, that wherever there comes to be a settled Form of Government, own'd by the Estates of a Nation, or peaceably submitted to by the People, and acknowledged and treated with by Foreign Powers, and where Order and the face of Justice is kept up, there all the outward Effects
and

and Obligations of Government follow, the Laws must not be broken out of wantonness, Taxes must be paid, the decisions of Justice must be submitted to, and Oaths tender'd by such a Government as much require Truth and Sincerity in them who take them, as under any the most undoubtedly lawful Government. And there is one plain reason for this, that the common Peace and Security of Mankind require it shou'd be so. Since neither could any Government know when they were safe, nor any private Man know on what bottom his Property stood, if a Person's private Scruples about the Title of his Governours cou'd invalidate any Act of their Authority over him.

But 5. Before I leave this Head, I shall state truly what has been esteem'd by Moralists a forc'd Oath; and that is such an Oath as a Man takes to a Robber or Cut Throat, that has met him in a place where he can have no help, and threatens immediately to take away his Life, or cut off a Limb, or to do some such dreadful thing, if he does not swear, for instance, to pay so much Money at such a place or the like. And even about the Obligation of such an Oath the Moralists are divided; the more rigid determining that where it is not to the direct damage of the Publick, it ought to be kept out of Reverence to that God by whom the Party swore, tho' the Villain who exacted the Oath can have no right to the performance. But the more easy Casuists, who decide that there is no occasion to keep such an Oath, lay great stress upon

the suddenness and violence of the Terrour the Party lay under, in order to lessen the Affront that wou'd otherwise be offer'd to God by not keeping an Oath, and consider, that 'tis beyond the Courage and Constancy of most Men to bear up under such a shock against promising or swearing any thing to escape the Evils threaten'd.

But what is this to an Act that is done calmly and deliberately, and where neither Life nor Limb are indanger'd? At this rate the Primitive Christians were very much to blame for dying rather than renounce their Religion, when, according to what these Men advance, such Renunciation, in whatever Terms it had been conceiv'd, must of it self have been invalid, and the whole Sin of it had light on those who requir'd it, not those that took it.

Another Pretence advanc'd by some weak People is, that they do keep the Oaths in the Sense they put upon them when they took them.

But on the contrary every Oath is to be taken in the Sense he is known to put upon it for whose sake it is taken; since it cou'd be no Security to him, which is what it is design'd to be, if it were to be taken in a Sense different from what he is known to have design'd to express by it.

2. An Oath in its nature excludes all Equivocation and reserv'd Meanings; much more do the Oaths we are now speaking of, which most expressly and emphatically provide against all possible Subterfuges of that nature.

But

But 3. Let any Man of common Modesty but read the Oaths to the Government, and see whether without giving contrary Significations to what plain Words have in common use, it is possible for any Man to put such a Sense on those Oaths, by which he may be at liberty not to bear true Allegiance to King *GEORGE*.

Another as weak Pretence is advanc'd by some, and that is, that they indeed took the Oaths, but never design'd to be bound by them:

It is a Shame almost to mention any thing so weak, since every one knows, that knows any thing of Morality, that in the several Obligations and Engagements Men enter in to one another, they must be bound by the Words and outward Signs they use, without any regard had to what Thoughts they keep conceal'd within their own Breasts. We know nothing of what passes in other Men's Minds, and can judge of their Intentions only by what outward signification they give, and therefore all those Obligations must be valid, which Men by their Expressions and Gestures shew a design of laying upon themselves, or we can never know whether Men have enter'd into any Obligation to us or no; which must put an end to all intercourse of Promises, to all Faith and Confidence amongst Men.

And consequently whatever contrary Intention any Man may entertain in his Mind, whoever takes the Oaths to the Government, has laid a Bond upon his Soul to bind it, as he
has.

has us'd the customary and most solemn Method of binding himself by Oath.

Another thing propagated among unthinking People is this Question ; How can the Oaths to the present Government be more obligatory, than the Oaths formerly taken to King *James* were at the Revolution ?

To which I Answer 1st. That this Question comes but ill from them who believe the Revolution to have been unlawful, which, I think, I may justly suppose to be the Case of all who at present question the Validity of the Oaths taken to the Government.

But 2^{dly}, The direct Answer to that Question is obvious and plain, that the Oaths taken to King *James* had a full force to oblige to true Allegiance, till he set himself above all Law, and broke the Fundamental Constitution of the Kingdom. And on this Bottom the Oaths to the present Establishment must retain their obligatory force, till the present Powers make the same inroad upon our Laws and Liberties ; which it is not in the least pretended that they have done.

And Lastly, Most of those who now profess to have Scruples about the lawfulness of the present Oaths, if they will stand by those Principles in virtue of which they have taken the Oaths the two preceding Reigns, must own, that the Oaths now taken will continue binding till they are actually repeal'd by the Legislature.

I should now proceed to the Third General Head, to consider the Scandal and ill Consequences of such a Practise as breaking the Oaths to the Government, in which I propos'd to have observ'd how injurious it is to God thus to break thro' the Sacred Obligations of an Oath, how it weakens the Government at Home, and encourages its Enemies Abroad; the great Scandal it brings on the Church of *England* by having Men of such Principles pretend to be its most zealous Members; the terrible Consequence of Men's taking on them thus to absolve themselves from the Oaths they have taken; the uneasiness of Mind it must bring on such, when Party Rage abates, and they come to reflect coolly on their Actions; and the natural tendency it has in the final issue to bring them either to Popery or Atheism.

But as I am sensible I have already trespass too much on your Patience, I shall dwell no longer on this melancholy Subject; and shall detain you with no farther Application of what has been said, than to beg of all who have any Scruples about the Lawfulness of the Oaths they have taken to the Government, that they would in consideration of the indispensable Obligations lying on every Subject to Obedience, the great Damage done to the Nation, and to every particular Person in it, by a Seditious and Rebellious Carriage, together with the other ill Consequences of their present undutiful Behaviour,

haviour, that they wou'd, I say, without all Passion and Prejudice examine, whether their Doubts have a solid and justifiable Foundation; and that at least, till they are able to satisfy their Consciences in this Point, they wou'd not act as tho' their being released from the Obligations of their Oaths to the Government, was likewise a discharge from all the Obligations of Morality and common Humanity; by that Rage and Malice too many of them expresse, and by those wicked and abominable Calumnies they invent, or publish against their Governours: And to exhort all who are well affected to the present Establishment, that they wou'd confirm their good Affection by remembring *the Oath of God* by which they *have bound their Souls*, and that by their Zeal and Courage in their several Stations they wou'd counterballance the Number and Malice of the Disaffected, curbing their Insolence, and strengthening the Hands of our Governours, that they may be able to disappoint all their Evil Designs, that so under their Protection *we may lead quiet and peaceable lives in all godliness and honesty*; and that the Blessings we enjoy beyond other Nations both in our Religious and Civil Concerns, under the auspicious Government of His Majesty King GEORGE, may be delivered down safe and inviolable to our Posterity.

F I N I S

